

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1678 - SB 1725

February 2, 2016

SUMMARY OF BILL: Revises the current *International Nurse Licensure Compact* enacted by Public Chapter 538 of the Public Acts of 2002 and creates the *Nurse Licensure Compact* (henceforth, "Compact"). This new Compact is very similar to the current compact in that it continues to allow nurses to hold a multistate license and to practice outside of their primary state of residence, or "home state," and in any Compact member's state, or "party state" without having to attain additional licensure.

Requires a home state to collect fingerprints or other biometric data from any applicant seeking initial or reinstatement multistate licensure for the purpose of obtaining the applicant's criminal history record information from the Federal Bureau of Investigation (FBI) and the Tennessee Bureau of Investigation (TBI). Establishes that any nurse who currently holds a multistate license as of the effective date of this Compact will retain the multistate license without being subject to a federal and state criminal history record check. Requires any applicant seeking initial licensure, if such individual is a graduate of a foreign pre-licensure education program not taught in English, or if English is not such graduate's native language, to successfully pass an English proficiency exam. This Compact would prevent any individual from attaining a multistate license if such individual has committed a felony; whereas, the current compact only prevents multistate licensure for certain felonies, within the discretion of the Board of Nursing.

Establishes the Interstate Commission of Nurse Licensure Compact Administrators. This Commission will be vested with wide authority to govern the profession of nursing in all member states of the Compact. Establishes that there shall be one administrator per state and that such administrator shall be the head of the respective state's licensing board or designee. Authorizes the Commission to pay, or provide for the payment of reasonable expenses of its establishment, organization and ongoing activities. Authorizes the Commission to levy and collect an annual assessment from each party state to cover the cost of its operations, activities and staff in its annual budget as approved each year. The Commission shall meet at least once per year. Requires the Commission to secure adequate funding for and prior to incurring any obligation. Establishes that this Compact will become effective and binding on the earlier of the date of legislative enactment of this Compact by at least 26 states or December 31, 2018.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

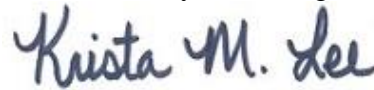
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Assumptions:

- Currently, according to rules established by the Board of Nursing, any applicant for licensure as a registered nurse or practical nurse must include the result of a criminal background check submitted to the Board's administrative office directly from the vendor identified in the Board's licensure application materials.
- It is likely that there will be additional background checks performed on nurses seeking initial or reinstatement licensure. Nurses pay a private vendor to perform such background checks; therefore, there will be no significant impact to the Board of Nursing.
- This new Compact will have no significant fiscal impact on the number of licenses or fees, issued or assessed by the Board of Nursing.
- Any increase in the number of license denials, revocations, and administrative hearings over disputes thereof will not be significant. Any additional disputes can be handled during regular meetings of the Board.
- According to the Department of Health, the Board is currently assessed a fee to cover expenditures incurred by the administrative offices of the current compact for staff, meetings, etc. According to the Department of Health, there will be no significant increase in the assessment fee charged to the Board as a result of the newly established Compact.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over any two-year period. The Board of Nursing had annual surpluses of \$1,168,922 in FY13-14, \$1,363,944 in FY14-15, and a cumulative reserve balance of \$7,635,111 on June 30, 2015.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/jdb